

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

SEPTEMBER 12, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12th day of September 2013. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <http://www.normanok.gov/content/boards-commissions> at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Tom Knotts called the meeting to order at 6:30 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Curtis McCarty
Jim Gasaway
Roberta Pailes
Andy Sherrer
Cindy Gordon
Dave Boeck
Sandy Bahan
Tom Knotts

MEMBERS ABSENT

Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &
Community Development
Jane Hudson, Principal Planner
Janay Greenlee, Planner II
Todd McLellan, Development Engineer
David Riesland, Traffic Engineer
Roné Tromble, Recording Secretary
Leah Messner, Asst. City Attorney
Larry Knapp, GIS Analyst II
Terry Floyd, Development Coordinator

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Item No. 2, being:

CONSENT DOCKET

Vice Chairman Knotts read the titles of Consent Docket items, consisting of the following:

Item No. 3, being:

APPROVAL OF THE AUGUST 8, 2013 REGULAR SESSION MINUTES

Item No. 4, being:

PP-1314-3 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY KENNETH KENNON/SOONER LEGENDS, L.L.C. (DWIGHT BUTLER/ANCHOR ENGINEERING, L.L.C.) FOR SOONER LEGENDS ADDITION, A REPLAT OF DICKERSON No. 1, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF 1-35 AND LINDSEY STREET.

Item No. 5, being:

PP-1314-4 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY JASON ANDES (SMC CONSULTING ENGINEERS, P.C.) FOR ANDES ADDITION, INCLUDING A PART OF LOT 1, BLOCK 1, P.B. ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF FLOOD AVENUE APPROXIMATELY MIDWAY BETWEEN MOSIER STREET AND HIMES STREET.

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Vice Chairman Knotts asked if any member of the Commission wished to remove any item from the Consent Docket. There being none, he asked whether any member of the audience wished to speak regarding any item. There being none, he asked for discussion by the Planning Commission.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Jim Gasaway moved to place approval of Item Nos. 3 through 5 on the Consent Docket and approve by one unanimous vote. Dave Boeck seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailles, Andy Sherrer, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYES	None
ABSENT	Chris Lewis

Ms. Tromble announced that the motion, to place approval of Item Nos. 3 through 5 on the Consent Docket and approve by one unanimous vote, passed by a vote of 8-0.

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Item No. 3, being:

APPROVAL OF THE JULY 11, 2013 REGULAR SESSION MINUTES

This item was approved as presented on the Consent Docket by a vote of 8-0.

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Item No. 4, being:

PP-1314-3 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY KENNETH KENNON/SOONER LEGENDS, L.L.C. (DWIGHT BUTLER/ANCHOR ENGINEERING, L.L.C.) FOR SOONER LEGENDS ADDITION, A REPLAT OF DICKERSON No. 1, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF 1-35 AND LINDSEY STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Site Plan
6. Pre-Development Summary

This item was approved on the Consent Docket by a vote of 8-0.

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Item No. 5, being:

PP-1314-4 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY JASON ANDES (SMC CONSULTING ENGINEERS, P.C.) FOR ANDES ADDITION, INCLUDING A PART OF LOT 1, BLOCK 1, P.B. ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF FLOOD AVENUE APPROXIMATELY MIDWAY BETWEEN MOSIER STREET AND HIMES STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat/Site Plan
3. Staff Report
4. Transportation Impacts
5. Request for Alley Waiver
6. Pre-Development Summary

This item was approved on the Consent Docket by a vote of 8-0.

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Item No. 6, being:

O-1314-10 – ROBERT BAILEY REQUESTS CLOSURE OF THE SOUTH TWO AND ONE-HALF (2.5) FEET OF THAT SEVEN AND ONE-HALF (7.5) FOOT UTILITY EASEMENT LOCATED ON THE WEST 148.55 FEET OF THE NORTHWEST PROPERTY LINE OF LOT 4, BLOCK 4, RED CANYON RANCH SECTION 3, A PLANNED UNIT DEVELOPMENT.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Request for Partial Vacation of Utility Easement
4. Plat

PRESENTATION BY THE APPLICANT:

1. Robert Bailey, 301 E. Eufaula – We're just requesting that the back half of the northwest utility easement – a couple of feet to make the lot a little bit bigger so we can build on it. I've received no objections. If you have any questions, I can go over it.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Andy Sherrer moved to recommend adoption of Ordinance No. O-1314-10 to City Council. Jim Gasaway seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailles, Andy Sherrer, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYS	None
ABSENT	Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1314-10 to City Council, passed by a vote of 8-0.

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Item No. 7, being:

O-1314-11 – THE BOARD OF REGENTS OF UNIVERSITY OF OKLAHOMA REQUEST CLOSURE OF THE RIGHT-OF-WAY OF FARMER STREET LYING BETWEEN JENKINS AVENUE AND LINCOLN AVENUE BETWEEN BLOCKS 1 AND 8, HARDIE-RUCKER ADDITION.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Site Plan
3. Staff Report
4. Petition to Close part of Farmer Street between Jenkins Avenue and Lincoln Avenue

PRESENTATION BY THE APPLICANT:

1. Harold Heiple, 218 E. Eufaula – We want to close that one block of Farmer Street. All of the stuff lying north of it, colored orange and yellow, doesn't exist any more. It's one great big huge beautiful brick residence for the University, and this street is immediately on the south side. If you look at the top of that drawing, the outline of the building is there. Right below the building to the south is a circular sidewalk. It is a wide sidewalk and will accommodate both pedestrians and bicycles under University policy, not only for the people that live in the residence, but people that live over on Lincoln and want to come through to Jenkins Street. If you come on down on the left side of that drawing, you'll see a driveway, which is a considerable distance from where that sidewalk is. And if you compare the size of the building, you get an idea what's going to happen south of the sidewalk and down to that curb cut is a passive park – no concrete and just landscaping, trees, and a good restful area. The general concept is that whole area is going to look like this. Now the curved sidewalk is at the top and all the area below the sidewalk down to the existing parking lot will be landscaping. There are no filed protests. There are two utilities in the area that we understand and, of course, by law we are required to both respect and protect those; we will give separate easements for those to OG&E and to the City for their utilities. As I say, no protests and we would respectfully ask you to recommend to the City Council that they approve closing this, because once that has happened, if it happens, we will then go to District Court to vacate it so that it will be permanently closed. Any questions?

AUDIENCE PARTICIPATION:

1. Warren Prickett, 1404 Garfield Avenue – I've lived there my entire life. It's a block over from where they're talking about. I've talked to every neighbor in my addition and there is not one person in my addition that wants the closing of this street, except for OU. It's the only access we have to get out to Jenkins after their latest construction on Lindsey Street. We have Lindsey to get out and now Stinson, which they recently put a traffic light which was needed and – I'm glad that the traffic light is there at Stinson. But with all the new building and all the apartments behind there, Stinson Street is the main thoroughfare to get out for Jenkins. If they block Farmer, it already backs up from Stinson to Lindsey during rush hour and it is bumper to bumper all the way down Jenkins from Lindsey to Stinson because of the new light – the traffic already there. We've had six years of construction in that neighborhood now, with the two years of the parking lot, the two years of the Lindsey Street construction, and now the two years of the new dorm. Nobody wants that street closed except OU and in April a surveyor told me when he was transit looking through and I asked him what's going on. He said we're getting rid of this street; Molly wants more green space. And that was in April. So I figure this is probably already a done deal, but I felt like I needed to speak about it. Thank you.

2. Harold Heiple – I'm not trying to be frivolous, and I certainly respect what the man said and his reasons for saying it. But I would say that the people that would like to have it closed are the several hundreds, if not thousands, of University students that will be walking out of that south door of Heddington and crossing that particular area every day. So it's not going to be the same Farmer Street – it wouldn't be if it stayed open, and that's one reason we want it closed is

to actually protect that pedestrian traffic. So I appreciate what is being said, but as has also been pointed out there are now traffic lights at both Lindsey and at Stinson. Thank you.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Andy Sherrer moved to recommend adoption of Ordinance No. O-1314-11 to City Council. Sandy Bahan seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailles, Andy Sherrer, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYS	None
ABSENT	Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1314-11 to City Council, passed by a vote of 8-0.

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Item No. 8, being:

RESOLUTION NO. R-1314-25 – BRENT SWIFT, GENERAL CONTRACTOR FOR ROSE ROCK SCHOOL FOUNDATION, REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM LOW DENSITY RESIDENTIAL DESIGNATION TO INSTITUTIONAL DESIGNATION FOR PROPERTY LOCATED AT 1515 WEST MAIN STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. 2025 Map
2. Staff Report
3. Pre-Development Summary

ORDINANCE NO. O-1314-12 – BRENT SWIFT, GENERAL CONTRACTOR FOR ROSE ROCK SCHOOL FOUNDATION, REQUESTS REZONING FROM R-1, SINGLE FAMILY DWELLING DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY LOCATED AT 1515 WEST MAIN STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. PUD Narrative
4. Site Plan
5. Photos
6. General Information

PP-1314-5 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY ROSE ROCK SCHOOL FOUNDATION (CRAIG OUTLAND/PRIORITY LAND SURVEYING, L.L.C.) FOR ROSE ROCK SCHOOL ADDITION LOCATED AT 1515 WEST MAIN STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Site Plan
6. Greenbelt Commission Comments

PRESENTATION BY STAFF:

1. Jane Hudson – As you said, you have two applications regarding this site. There's a Norman 2025 Land Use and Transportation Plan amendment from the residential to institutional. This will allow the use of a private school there on-site. This is the existing 2025 Land Use and Transportation Plan with the residential, commercial to the east and to the west. As proposed, if it is approved, the institutional will take the place there. The second application is for the rezoning from R-1 to a Planned Unit Development. The existing zoning in the area is currently R-1, with additional C-2 to the east and some more C-2 to the west. Existing land use shows residential with an office use to the east and some additional commercial to the east. These are some photos of the site itself. This is looking to the site from Main Street. I believe this is looking to the east. This is looking out toward Main Street on the right. This is from the back of the lot looking south. This is on the east side looking back to the west. This is heavily treed; it's kind of hard to take photos out there. This is looking toward the north, with the residential area in the background. This is on the site looking out to Main Street. This is again looking into the site; the house is there on the north side. This is looking out to Main. This is looking from the site down Wiley. And this is on Wiley looking into the site with the current entrance that they have off of Main Street. Staff is in support of this application – Resolution No. R-1314-25 and Ordinance No. O-1314-12. We do recommend approval. We did have a protest reaching 38% within the area, and we also had support letters reaching 7.9%. I'd be happy to answer any questions. The applicant's representative is here with a presentation as well.

2. Mr. Knotts –The application for a PUD definitely limits the total student population at 59? Maximum? Forever and ever?
3. Ms. Hudson – Correct. As long as this Planned Unit Development is in place for the site, that's what it will be limited to. Yes.
4. Mr. Knotts – So if they wanted more, they would have to come back?
5. Ms. Hudson – Yes.
6. Mr. Sherrer – How is that monitored? I'm just curious, from a number of – we have this in a PUD. Do we have enforcement capabilities within the City to make sure that that's actually the case and we're auditing that?
7. Ms. Connors – If there was a concern that there were more students, we would send Code Enforcement out to research and look into the number of students.

PRESENTATION BY THE APPLICANT:

1. Brent Swift, representing the applicant – I just want to thank you for your time tonight. Obviously, this is a revised PUD from the original PUD that was presented. There has been a change in the architecture group and, with that, obviously the concern of the number of students. The other thing that would come into play with the PUD is that the number of students is also limited to the number of the square footage of the buildings that are available, so any add or alteration to the building would also probably bring them back here to have a conversation to revise that. I'm going to turn it over to Hans Butzer and Aaron Pilate.
2. Hans Butzer, Butzer Gardner Architects, 628 W. Sheridan, Oklahoma City – We would like to take the opportunity to provide an overview summary of the new PUD application. It is very much an application that is reworked, largely in response to what has come out of a total of eleven public meetings. We feel that we have put a tremendous amount of effort in listening and responding so that all issues that have been raised have been addressed through this PUD. Just in brief summary, Rose Rock School is a Lifeways based curriculum. It is a private school with very discerning parents and is a preschool through mixed-elementary school. In terms of the highlights of the PUD, as was already stated by Tom here, the PUD limits the number of students to 59. If that were ever to go over, a completely new PUD would have to go through the same process – very public, transparent process. It is important to point out that that is a significant reduction from previously applied PUDs. The staff member for the school lives on-site. The new site plan calls for 25 off-street parking spaces that are carefully designated. The drop-off and pick-up times have all been staggered, and this is something that is easily done in a private school, so that any traffic concerns are easily mitigated. Everything is controlled. Just a brief project history. As Brent already mentioned, we were brought in in late spring to help rework this application and, again, the site, we believe, is very compatible with the school. Again, eleven public meetings with a lot of good, meaningful input to which we have attempted to respond. In that response from the previous meeting, a lot of the concerns that were brought up, again, the limitation of the students – no more than 59. The off-street parking. The improvement to vehicle circulation on site. Staggered drop-off and pick-up. And, of course, containing the traffic on the site itself. The site obviously is historic and iconic; it has a lot of meaning to this community. One of the beautiful things about the proposal is it seeks to preserve the identity of that historic building and the site itself. It seeks to preserve the park-like character of the site; in fact, we're making additional landscape enhancements to the site. The historic home and the garage, of course, remain unchanged. The PUD prevents any new structures from being constructed. There are limited accessory structures with already designated locations. Again, all that stays intact. Drainage and lighting should not affect the neighbors. We are enhancing the landscaping on there in large part to create a better buffer in response to concerns from the

neighbors. And, of course, looking at overall traffic concerns. The site plan that you see up here is a revised site plan, again, in response to concerns that have been raised over previous meetings. Along with the staggered drop-off times, we have no more than 14-15 cars per hour, which is very much a very controlled condition. We have 370 feet of stacking space, which is more than enough, so that we shouldn't have any traffic back-up problems. All this is accomplished in part due to a new 36' driveway. There is, of course, 440 feet of designated left-turn on Main, which should definitely help with the few cars that are coming through at drop-off or pick-up times. And, of course, we have the parking spaces on site. One of the things that we did do in revising the site plan was to ensure that during the drop-off and pick-up times that any parked cars could take advantage of a carefully paved bypass lane so that there is very controlled movements on site. One thing that is also important to recognize within this application – it reflects the student bodies themselves – that currently 33% of this is sibling involvement, so you have a lot of kids coming in one car. This isn't just one car for every child that's attending the school. Again, that helps with controlling the traffic.

3. Aaron Pilate, Butzer Gardner Architects, 628 W. Sheridan, Oklahoma City – To go over some of the PUD details. PUD is the most restrictive zoning. As you know, the PUD regulates site use. It's legally binding. This PUD is modeled after R-1, but is written more restrictive. We'll go over a few of the PUD requirements. Again, 59 students maximum. There are no commercial or other uses allowed on this site. No new buildings. The PUD limits accessory structures. Setbacks, fences, landscape buffers are all provided and the PUD requires compliance with the City's commercial lighting ordinance, so that means zero impact on neighboring properties. A few more PUD requirements. As you know, as we talked about earlier, modifications to the PUD would require rezoning. So this PUD will preserve and protect the character of this historic and iconic site. It also addresses the neighbors' concerns. We'll talk a little bit about the proposed redesigned site plan. Again, 59 students maximum; 25 off-street parking spaces. There's no parking and no driving on grass. All traffic is contained on the site. I'll highlight a few of the features. As Hans mentioned, we have the inner bypass lane and we have the outer parking lane. We have a drop-off area close to the corner of the school. We have designated turn lanes on Main Street with a 36' wide curb cut. In the back right corner of the site is an accessory structure location zone, so new sheds as part of this PUD – storage sheds are limited to three, 400 square foot max. – all accessory structures are limited to 10' high. As we mentioned, existing drainage will be maintained diagonally across the site and it will not have any impact on the neighboring properties. Hans will just make a few closing comments.

4. Mr. Butzer – Ultimately, all efforts have been made here to respond to concerns of the neighborhood as well as respond to this great existing structure. We really do believe that the Rose Rock School is a great project for this location and we have attempted to address issues regarding the student enrollment through this PUD. We feel good about the Planning staff's recommendation for this revised PUD. Again, we provide assurance that there are no new buildings. Again, we have listened very carefully through the course of eleven public meetings to the public's concern, which we take very seriously. Fences, landscape buffers are all provided. Traffic is contained on the site. The PUD, of course, very restrictive in its nature; everything would have to go back to the beginning if anything was to change – that is not the current intention. And, of course, the bottom line is we think this is a great project. We've been listening very carefully. We have made every attempt to address concerns and still retain the beautiful character of this site and to retain the site that this is a great project for this location. Thank you.

5. Mr. Gasaway – On the parking, you said there are 25 spaces. It looks like in front of the garage there's 16? Is that correct? And the other 9 would then be along the circle drive. Is that correct?

6. Mr. Pilate – There's 3 parallel parking spaces near the building on the south edge of the drive, and then the rest of them are angled parking on the east edge of the site.

7. Mr. Butzer – The 16 on the north side. When you come in off of Main and you drive in, you stay to the right, past 3 diagonal spots, and as you continue to move around there will be another 3, then you pass the 16, and then as you move further around there are still the last 3 remaining parallel spots.

8. Mr. Gasaway – And you all feel very certain that on a daily basis that can handle all of the staff, parents, and visitors without parking on the lawn ever?

9. Mr. Butzer – Yes. We do.

10. Ms. Bahan – I have a question related to that. What about when you have events at the school?

11. Mr. Butzer – The process for events at the school – the school currently has an agreement with a church and, because it's a private school, it's very easy for the administration to lay out the game plan for how people would move back and forth between that church parking lot. So the proposal is to have a shuttle that takes people from the event parking to the school itself. So it's a very controlled, very formal process.

12. Ms. Pailles – How far away? St. Stephens, right? How far away is that?

13. Mr. Butzer – It's about a mile. That's why there's a shuttle there. It's further south. The shuttle takes care of that and keeps everything controlled.

14. Ms. Gordon – Do you know how many – I remember that was a sticking point the last time, at least with me, was the shuttle. So, maybe it's me, but I'm just generally kind of a lazy person, and if I have the choice to park my car and take a shuttle or park around the edge a block away in the neighbors' street, then that's probably what I would do, which I suspect most people – I don't know. I can't speak for them. Most of them wouldn't mind if there were only a couple of events a year. Do you know how many special events there are thrown each year?

15. Mr. Butzer – There's no more than four, I believe. And, again, to stress, as a private school, there is a certain reputation to be held for the school and I do feel confident – certainly the administration feels confident the parents would respect the wishes that people would not invade the neighborhood with their parking.

16. Ms. Gordon – I have another question. The stacking – the staggering of the parking. So when you talk about staggering, how long does this staggering go on? Is that like staggering throughout the day or is it like 3 hours of different waves of students coming in in the morning and then another 3 hours of waves that afternoon? How does that work? I think I've thought about it because you talked about a lot of the students there have siblings and are they staggered by grade? And so if you have two siblings in a house and one is in one grade and another one is in another grade and they have to come later, then your argument that it's just one car – does that make sense?

17. Mr. Pilate – That's a great question. One of the things we did in this PUD is the school's operating schedule is defined as part of the PUD. Item 6 – drop-off varies between 8:00 a.m. and 8:45 in 15 minute intervals. Pick-up will be between 1:00 p.m. and 5:00 p.m.

18. Ms. Bahan – But what about the morning? You said 8:00 to 8:45. You're going to get all 59 of them in there between 8:00 and 8:45?

19. Mr. Pilate – It's staggered drop-off between 8:00 a.m. and 8:45 a.m. 15-minute intervals.
20. Ms. Bahan – So you're going to have 20 cars every 15 minutes?
21. Mr. Pilate – Well, no, because – we expect 14-15 cars – 59 divided by 3 is just less than 20 at the absolute max. But, again, we talked about the 33% of sibling rate.
22. Mr. Sherrer – Is that stratified by age? Or how do you decide you show up at 8:00, you show up at 8:15? And it may be workable in the model. I'm just more curious than anything. That's not how I understand most schools – it's not the school I went to when I was growing up. It always was we all show up at this time. How does that work?
23. Shanah Ahmadi – This is largely an early childhood program, and so they come between 8:00 and 8:45 based on the time that the parent goes to work. So some of them have to be at work at 8:00/8:15 and those children – we organize them to come then. Some don't have to be at work until 9:00. Kindergarten class starts at 8:30. So those children are there between 8:15 and 8:30.
24. Mr. Sherrer – So you would restrict enrollment if you had a maximum number during that time of 15 and it was the 16th person – you couldn't have them come to your school, then, is what you're stating?
25. Ms. Ahmadi – I'm sure we could manage something to where they could come at the appropriate time. We are dedicated to having it be organized, and that's the way we operate now, is in an organized fashion. Answering the question about if they were coming at different times – they would come at the earlier time and the child – if that child started class later, they would just stay there and play in a designated play space. It's the same if they were needing – if one got out of class early and the other one was being picked up later, the parent would pick them up later – the child would stay there and play on-site, so they wouldn't have to come twice.
26. Mr. McCarty – I have several questions. I'll start with, first off, fire trucks. Would you just address the egress of fire and safety into the site and how that would be addressed? And I assume, if this was to pass, how the building would be brought up to meet the code of schools – fencing, fire, sprinkler, FDC connections, and just what all and how that would come together, and on-site drainage as well?
27. Mr. Pilate – Well, the first issue, fire trucks would enter through the driveway. There is adequate turn-around space for a fire truck. The school compliance issue is a little bit tricky and it's sort of beyond the scope of planning. As far as the building goes, there are multiple avenues for compliance. It's a concrete structure. There are ways to insure that the structure is rated so that fire protection system would not be required. There is also the fire protection system avenue. So that would be explored further in the process.
28. Mr. Butzer – It's all part of the permitting process for any changes to the building itself.
29. Mr. McCarty – So how about the fencing requirements for private schools? How are you going to keep the kids off Main Street and the safety of the students?
30. Mr. Pilate – There's a fence – it's all the way across from the building to the edge of the site, all the way back, all the way back here, and back again into the garage. So the children are contained in the back of the property. However, the fence is pulled in to provide an additional landscape buffer between the children's play area and the neighbors. And the

school feels like that is the best way to (1) maintain the property and keep the landscaping nice and (2) maintain an additional buffer between the neighbors. I guess I would also point out that children will not be playing in the large open space in the front yard.

31. Mr. McCarty – So that has changed from our last time we heard this, because that was a big play area out there.

32. Mr. Pilate – That's not part of this application.

33. Mr. McCarty – So, lastly on the fire. So the Fire Department has looked at this and this loop is sufficient for protection for fire?

34. Mr. Butzer – In crafting the site plan in our office we have the basic radius diagrams for fire trucks which we overlay on this site plan.

35. Mr. Pilate – I guess I will respond by saying if it's deemed that a fire protection system would be required, adequate accommodations can be made for an FDC that's located close to fire truck access.

36. Ms. Pailes – You may have said this and I didn't understand. Is there fencing along the front anywhere -- between the building and Main Street, is there a fence at any point?

37. Mr. Butzer – No.

38. Ms. Pailes – Would that not be a good idea?

39. Mr. Butzer – There's no need to for the simple reason there's nothing to contain in the front.

40. Ms. Pailes – You're not likely to leak children onto Main Street – or soccer balls – or throwing pine cones or anything else? I'm not sure why I should be assured that that isn't so. It's such a huge area. I can't imagine that you don't occasionally have a kid out there kicking a soccer ball that would go out into Main Street.

41. Mr. Butzer – Again, up on the screen, Aaron will point out where the fencing is that contains the children.

42. Ms. Ahmadi – There will be no children on the front two acres of the property – ever. They will always be at the back behind the fence. It bisects the property. You can hardly see it because there are trees sort of outlines there. It kind of comes from the side of the house in the middle. So that's the child play area – that back two acres.

43. Ms. Pailes – And the living area and the school – they're both in the big main building? I mean, there's no building labeled school here. It's labeled main building and garage.

44. Ms. Ahmadi – That's the school. That's why there's only 59 children. The residence is in the upper floor, which isn't for children.

45. Ms. Pailes – And the garage is actually a garage?

46. Ms. Ahmadi – Right now, yeah.

47. Mr. Gasaway – I think you all had mentioned there was 400' on Main Street that's available for stacking for a left turn. Do you know how many cars that stacks in that 400'?

48. Mr. Pilate – 20' per car. It's 440 – so 20.

49. B.J. Hawkins, Traffic Engineer for the applicant, 404 SW 171st Street – The actual fifth lane going down Main Street is actually almost a continuous left-turn lane from – it actually goes from Thompson Drive, which is a ways west, to Gatewood Drive – approximately 3,200 feet, actually, of mountable, brick-paved fifth lane. All along there there is striping and turn lanes on top of it going to each side street and everything. So there's actually quite a bit more than the 400 and some odd feet they're saying from the drive to Westchester – I mean, it's a continuous fifth lane, so I don't know the exact number of feet.

50. Mr. Knotts – I thought that the 400' was the stacking inside the property for a left turn onto Main Street. Is that not correct?

51. Mr. Hawkins – There are two lanes exiting the site. One for through and left turns, and then one for right turns so they don't get delayed by anyone trying to turn left or go through across Main Street.

52. Mr. Knotts – So what is the stacking on the property?

53. Mr. Pilate – Exiting the property from the drop-off area designated on site, we have 291 feet of stacking space until you get to Main Street. At 20' per car, 14 cars. It depends on where people need to go. There's room for stacking in both left turn and right turn lanes.

54. Mr. McCarty – So this brings up an interesting topic. Last time we had a discussion on stop lights that potentially is going to be put in at this intersection and it would align with Wiley. Is that still in discussion?

55. Mr. Hawkins – The traffic signal is not – it will not be warranted by this school. The only reason it was warranted was because of the existing traffic on Main Street and Wiley, and if you project that out to 2016, which at the time was the full build-out of the school – it did meet warrants based on Wiley and Main Street. If this lot was a vacant lot, it would still meet traffic signal warrants. That's not to say that a signal would go in because you'd have to get with the City and a lot goes into that. But based on the existing traffic out there projected out, it will meet traffic signal warrants. So this school doesn't have any bearing on that signal being warranted – just the existing traffic.

56. Mr. McCarty – Do you plan to apply for a school zone?

57. Mr. Pilate – I think there is a City Traffic Engineer. I think they need to address how that would work.

58. David Riesland, Traffic Engineer for the City – There are private schools – some that do have, some that don't have. It really depends on whether or not we anticipate students crossing the street to get to the school. We would expect, in this case, that there would be some who would try to cross Main Street, so we think it's a good idea, yes, that they have a school zone.

59. Mr. McCarty – Who makes that decision – the City or the school?

60. Mr. Riesland – Ultimately, the school does. Or we can work together somehow.

61. Mr. McCarty – I think you're the one that addressed the stop light last time. Do you agree with what he is saying about the stop light.

62. Mr. Riesland – Yeah. The study showed that it would be warranted three years out. Obviously, we'd have to conduct counts at that time. We'd have to go about securing funding for it, so there's no guarantee it will go in.
63. Mr. McCarty – So would they be responsible for the funding for part of the light?
64. Mr. Riesland – Based on the way we typically do traffic impacts, there is some small contribution to it. It's very minor.
65. Mr. Knotts – So we would have to wait until the impacts were felt before any judgment could be made whether to have a light?
66. Mr. Riesland – Just because we think it's going to be warranted in 2016 doesn't mean plan on one in 2016. That's probably when we start. We have a lot of locations where we're looking at signals and this is not at the top of our list by any means.
67. Mr. Gasaway – I've got a question for someone on the school staff, please. Since this is a fairly significant change in the number of students, and our discussion tonight is based on the number of 59, I guess my question is is that a long-term figure? If we're basing our discussion on 59 and 2, 3, 10 years from now the school is anticipating going to 100 or 130, that kind of changes the dynamic of the question. So I guess I'm asking for an assurance, to the best of your knowledge, is that number going to stay at 59?
68. Ms. Ahmadi – Yes. We proposed the previous idea as sort of a pipe dream maximum capacity sort of what-if scenario. What we found is the what-if is that won't work there. But this will work and this is still a huge expansion for us. It's a big growth and it will take us a long time to reach 59.
69. Mr. McCarty – Are you currently having school there now?
70. Ms. Ahmadi – No.
71. Mr. McCarty – What is your employee staffing type of scenario if you reach 59 students?
72. Ms. Ahmadi – Our employee staffing when we get to that point? Typically, we have one staff for about 7 or 8 children. They break out into a kindergarten setting and there are more children per one teacher – like 15.
73. Ms. Pailles – Mixed elementary – that's like 1 through 3rd grades, roughly?
74. Ms. Ahmadi – Yes. Right now, the big focus is on early childhood. We don't have any 1st graders or 2nd graders, and so it would likely be a mixed age program where the class is mixed.
75. Mr. Knotts – What are the nature of these once a quarter activities?
76. Ms. Ahmadi – Easter, Christmas -- Easter egg hunts, and the like.
77. Mr. Knotts – Okay. So they are a group gathering, not a parent-teacher conference or something like that that is very limited.
78. Ms. Ahmadi – Seasonal festivals. It is limited to the 59 children.

AUDIENCE PARTICIPATION:

1. David Spradling, 134 Crestmont – I'm here to stand for the Rose Rock School. I want to say, first, that it's interesting to be involved in the civic process. I've never done this before, so thank you for the opportunity to come speak. I'm not here to spend a lot of your time, but I do have a couple of points I'd like to make. First, there is some reasonable opposition to this, and there are some really intelligent people in this room. I just want to present a different opinion. First, I like the idea of the Rose Rock School in my neighborhood. Cleveland Elementary is in our neighborhood and I think we're a better community for it. Cleveland houses about 600 kids, one of them mine, and the traffic issues around pick-up and drop-off time seem, to me at least, to be manageable. I drop off David every morning; we're in, we're out, 15 minutes. Now, they've got a different situation there, but with 59 kids, I can't imagine that it's going to be worse than 600 kids. There have been some very reasonable objections to Rose Rock's plan. Folks on Foreman could be looking at a whole lot of parents at pick-up and drop-off times, and there are some really nice houses over there, and I wouldn't want that, either. But it seems to me that Rose Rock has done its best to work with those reasonable objections. They've drawn – they've redrawn their plans and, obviously, there's some objection to that. But I feel that any group or family that's willing to work with the neighborhood, as opposed to on top of the neighborhood, would be welcome in my neighborhood. The Rose Rock School will also keep in place an historic green space on Main Street and I like trees. The Rose Rock plan will also keep the historic landmark – the Maguire House – as part of the Norman landscape, and I think it should remain that way. And any other plan – and I understand that there are some floating around – would make no such assurances. And, finally – and this may be less relevant to the facts and figures that help you make this decision – but I've known George and Shanah for a couple of years and I like them and I trust them, and they're exactly the kind of good, honest, hard-working people I want as my neighbors. That's kind of all I have. I hope you decide in Rose Rock's favor, and thank you very much for the opportunity to speak.

2. Sean Rieger, 136 Thompson Drive, representing Robert Holbrook – I sent you all some information earlier today about this, and I think it's important that we go through it. I'll be very brief, because I know a number of people want to talk. But what is foremost in this – and you've heard it tonight – is will they adhere to 59 students? Will they do that? Well, right now they have more than 7 students, it's our understanding; and right now their website today showed 4 faculty members for this location. Right now, they're operating under R-1 zoning. R-1 only allows for a family daycare home. That's it. You're not allowed to have employees there and you're not allowed to go over 7 kids. They're doing it right now. So it's relevant to consider will they outpace their zoning as you approve in the long-term. It's relevant to look at 2025. They have zoned – they had to do this – this was required and this was key in how they withdrew before – but they were required to file for a 2025 Plan change. If you approve that site – and if you look at that screen, it is a sea of R-1, Low Density Residential. I remember when we did the Johnny's location and when we did the Cain & Cain, it was very important to this entire neighborhood that that stay R-1, Single-Family. If you change that 2025 to Institutional, then as a matter of presumptive right, an applicant has the right to do anything within the Institutional categories going forward on that site. So if this school ever failed or changed hands, anybody could come back in with an institutional use of any kind or size and they have a presumptive right to get it once you change that site to Institutional. There is a large protest – 38% protest. We think, actually, it's larger than that. We're checking that now. But if you look at nothing else tonight, I want you to look at that. That is a graphic that shows you the traffic counts in our community. That was 2009 data. You see the yellow highlighted is Main Street, and that is ranked in order of the most cars that travel every day on a quarter in the City of Norman. Five of the top seven counted quarters in our community were Main Street – West Main Street. You are considering – and I'm glad that Mr. Gasaway suggested that we're looking long-term, because that really is your decision. Your decision tonight is not what this applicant will do, but what will the property do as a use right going forward. These particular people – me and all of us – will probably be gone in 10 years. Who knows? It will be somebody else that has the right. You are talking about

putting an elementary school and school zones – and every elementary school has crossing guards – on West Main Street. On that. It is preposterous. It is a preposterous use on West Main Street to put an elementary school on that location with four-foot picket fences as the only barrier between kids and Main Street. It is an isolated site. There's no alternative to that. There's no way to go to any other street. The only way to get in and out of this property is the 30,000 cars a day of West Main Street. So we encourage you to oppose it. We thank you for your time. And thank you for your consideration.

3. Clarence Worley, 1620 Holliday Drive – I'm quite familiar with the traffic situation. One time, about a year ago, you closed the north side of Main Street westbound. I had to sit in my driveway for 10 minutes trying to get on Holliday Drive. Finally, I forced someone to let me in. Now if you believe that you're only going to have 59 students in the future – is Norman going to quit growing? There's going to be a requirement come in to you very shortly to increase that from 59 to a larger number. And when you do that, you're going to increase the traffic on my street. I've lived there 40 years. One of the things that I like about Holliday Drive is when I want to get in and out of my driveway, I can. If you increase the number of students and you increase the number of people that are driving up and down my street, I won't be able to get in and out. That's the thing that bothers me. I would like to think 59 students would be all they'd ever have. But you know and I know that 59 will not be all the students that will be at that school. Thank you very much.

4. Dee Fink, 234 Foreman Avenue – When Rose Rock came to you a year and a half ago, I also spoke up in opposition to the school. But my main opposition was because of the size of the school and the problems that generated. In those comments I also added that if they reduced the size of the school I would withdraw my opposition. They have done that and I now support the school coming into that area. If I tried to look at this from your angle, it would seem to me that three questions would need to be answered; I'd like to share my thoughts on those three questions. First, is this proposal substantially different than the previous one? Have the traffic issues been adequately addressed? And what about the zoning change? Is this a substantially different proposal? I think the answer is pretty obvious at this time. They've reduced the student count by 75%. They've reworked substantially the traffic flow in and out of the property. They've reworked the fences, the lighting, the landscapes, etc. All of that after seeking and listening to neighborhood input. I would note that very few other private residences moving in or commercial properties moving in would make the effort that Rose Rock has to seek out and respond to community input the way they have. So different proposal on the table. Traffic issues. I think they have solved that problem. If you do the math, with 59 students, and a third of those from the same family, that comes down to about 40 cars staggered in four different groups over the drop-off time, four different groups over the pick-up time – that comes out somewhere between 10-15 cars for a 15-minute period. If you collapse that down into the worst possible scenario so they all come in a 5-minute period, that's like 1-3 cars per minute, which is a fairly long time. Given the amount of traffic that the lawyer just showed us goes on Main Street, 1-3 cars per minute is going to be hardly discernible. When they come out and turn onto Main Street – I think coming in is not going to be the problem, it's when they come out that's going to be the issue I worry about. I think they're going to do what all of us on Foreman Avenue, which is where I live, do now. If they come out and want to turn right, you just turn right when you find a break in traffic. When you want to turn left, if there's a break you turn left – sometimes you can, sometimes you can't. When I come out of there and want to turn left and I can't do it, I turn right, go down to the stop light, turn around and come back. I think some of the parents will do that, too, at the rate of 1 or 2 a minute. Not a big deal. Finally, what about zoning change? I think one of the things we have to face is no matter whether you decide yes or whether you decide no on this, we don't know what all is going to happen in the future. There's no way to predict with certainty what's going to go in there. But there are a few things I think we can say we know. If you vote yes and let Rose Rock come into this school, I think they're going to bring with them the kind of characteristics they have shown to date: an interest in the community, a

readiness to listen. They want to interact with the neighborhood. They will provide a tranquil, quiet atmosphere just like they do at their current school, and they've shown a desire to have neighborhood/school collaborative projects. All of those are pluses for our neighborhood.

5. Joe Van Bullard, 302 Foreman Avenue – Christy, my wife, and I live in a house that her mom and dad built on Foreman in 1960. We chose to move in when her mom passed away. We like the neighborhood very much. These people are my friends. I hate to be standing up here. But the question comes down to two issues. The traffic – 30,000 cars is hardly comparable to dropping off kids at Cleveland. Come on. Give me a break. That wasn't even a close call. But the traffic is not solved. I could, you know, suggest that they leave out their left turn lane exiting from 8:00 'til 8:45 in the morning when the kids are dropped off. You're not going to be able to turn left; you've got to turn right. I don't know why they're even putting that lane in there. But the real issue to me – and it comes down to the rezoning. When you lose R-1 zoning, that's the first chink. It makes it a lot easier for number 2, number 3, number 4, and number 5 to go. We all know that. And this thing has been – it's been two years running. It started, the first meeting, I believe, on October 11, 2011. They've worn us down. When we were ready for the City Council meeting in April of this year, we had better than a 70% protest and we will go back out and work some more before it gets on to City Council. The real question is, they could have a school there. They could have that school there, leave it R-1, get a special permit, but yet that's the one thing they will not negotiate on. They have gone out of their way to try to meet the standards of what everybody wants, but it's just unfortunate that we can't leave it R-1, which we could. You could have Rose Rock School there. It could be there. And I would be just like my good buddy Dee Fink, I'd go to the other side. I'd be with them. And they say they have met and mitigated all of the problems we have – no. The big problem I have is the rezoning. Thank you very much for your time.

6. Libbi Holbrook, 216 Foreman Circle – We're really having a conversation tonight that is all about location, location, location. You know, there are two main problems that I see that arise with Rose Rock School being in this particular location. And those two problems are with regard to zoning and traffic. I just feel that we need to protect the residential designation, and that's of ultimate concern, both in zoning and in Norman's 2025 Land Use Plan, not only for protecting the integrity of our neighborhood, but also for establishing the precedents in Norman. Allowing residential area to crumble sends a message that no area is sacred. What's next? Rezoning the large lots at Boyd and Pickard? Or at McGee and Highway 9? Preserving our core Norman neighborhoods is of priority. 1515 West Main Street must not go to that Institutional designation on the 2025 Land Use Plan. The traffic concerns I have I feel like are insurmountable. I will agree Rose Rock has worked tirelessly to create the ultimate drive on that property, but they follow one assumption and that's all drivers are rationale, and there's just not enough room for error. There's not room for a frazzled mom picking up two kids, but one is missing. There's not enough room for an upset toddler who won't buckle in, or the dad who is late for work and is trying to zoom around that circle. And that's a concern during pick-up and drop-off every single day. Special events like Cleveland's 50th anniversary celebration, going on right now, are another animal entirely. Again, we're assuming that people are rationale – not only rationale, but on time. And even with a small school, you have to account for not only those 59 students and their parents, but also extended families who may be coming into the picture, and they are likely to be just as supportive as the parents. Are they going to really park a mile away? Are they all going to be on time and catch the shuttle? I just don't feel like there is enough parking on that site to account for the number of vehicles per child who would show up for a special event. So then where do they go? The grass? The streets in our neighborhood? I'm only bringing up that this plan assumes that everything will go right. 15 cars will be added on Main Street per hour, but we're not even talking about them slowing down. We're not talking about the ones that aren't very good drivers who are really scared when they turn into that skinny area 'cause there's oncoming traffic coming toward them. We're assuming they're happy kids, and rationale parents. And I can personally guarantee that that assumption – the rationale one – will

occasionally get thrown out the window. For any of you who have ever dropped off a child or who have seen a drop-off or pick-up situation, you all know sometimes parents are not just rationale. I'd appreciate your vote in opposition to this plan. Thank you.

7. Dee Bigfoot, 119 North Foreman – I have been there for 30 years. The neighborhood is one of the most established in Norman. It has wonderful resale value. People look to see if there are homes that are for sale in that area. Family members who were raised there come back into that community – into that area to buy homes. We really have a jewel in that area. Residential – to change from a residential would be a great disservice to Norman. It would be a great disservice even to the Cleveland school. I understand completely about education. I am a child psychologist. I'm at the University of Oklahoma. I have in my backyard Crossroads School – Headstart – daycare. So when people say, "Not in my back yard," – well, unfortunately, it is in my backyard and Rose Rock would be in my front yard. So I would like to maintain the integrity of the community, of our residential streets there. We would have many, many, many more people here saying no. I guess it's beyond my comprehension why an organization would want to come into community where so many people are saying please do not build a school in our neighborhood. Please do not come and knock on my door every time there's a meeting to ask if I would change my mind. Please do not come and make me – I'm glad that I can have the opportunity for civil discourse and to communicate with you as Planning Committee, but I have a granddaughter at home that I would love to be attending to. I have other family events that I would love to go to. I would love to go to Cleveland School 50th anniversary, but I'm here because it keeps being persistent. We heard that it's two years now. And our sentiments have not changed – maybe there might be a few, but I think for the most part the community is saying please recognize that we want to maintain a stable residence and our homes – the integrity of the community – the integrity of the neighborhood. The thing is, our neighborhood is limited in how many people we have. Unfortunately, with this organization, they can bring other people in and give you information or even come and walk up and down our streets, but we are limited in terms of how many people we have in our neighborhood. But the majority of them are saying please let's maintain the integrity of our neighborhood. Thank you.

8. Harold Heiple, 2011 Morgan Drive – I'm not representing anybody. I'm here as a private citizen and somebody who uses the traffic. I've been a resident of Morgan Drive for more than 40 years, which is close to Cleveland School. I drive through there typically at the time the school takes up in the morning and the time the school lets out in the afternoon. I have to disagree with my neighbor. I don't think that the traffic around Cleveland is truly manageable. I came through there tonight at 6:00 on the way down here. They're having a special event. In the space of one block, I had to come to four complete stops and sit there before moving one block through that area. My kids graduated from Norman High School in the early 80s. I have to take issue with the staff report on page 8a-2 that says the use of this site as a single family residence is no longer viable, because the house was built by Big Boy Johnson when it was a two-lane road and small traffic. That's right. It was built a long time ago by Big Boy Johnson, but Dot and Jim Maguire lived in that thing as a very viable single-family house for more than 30 years. To say it's not still a viable single family use is a mis-description. What really bothers me is the fact that – when I think about how many times I've asked to change the Norman 2025 Plan, and I've sat through every comprehensive plan group that has been put together in this town in the last 50 years – and when I see changing the 2025 Plan from Low Density Residential to Institutional in this area – surrounded like it is by R-1 – I can't believe, frankly, that the staff is supporting it. Now, as a developer who has pushed a lot of commercial stuff through this town, I'm saying hooray! It's creating a helluva precedent. But I think it's one of the most egregious variations from 2025 that I could imagine. My problem initially with the school there has been the fact that I also travel that same stretch of Main Street going to my office, typically when school starts and when school is out. I think they did address a lot of their problems, if you'll look at their page 8b, when they talk about the staggered drop-off and pick-up times. For 59 cars that can work. But still coming out of there – that three-lane drive and turning left onto Main

Street to go east on Main Street – two lanes of traffic – that's not good planning. I was a little surprised to hear about probably wouldn't be any charge for a traffic light. If I was bringing this in as a developer on a 2025 Plan change, I promise you that we'd be talking about six figures to be posted to be paid toward the future traffic light that's going to be put up there. The one thing I'm concerned about, again, on the same page where they talk about drop-off, is the special events. If needed they'd have buses coming in. I've been a patron of Norman schools for more than 40 years. I'm not going to take a bus; I'm going to park on the grass when I'm going in to see my kid or grandkid. I like the idea of the education. This is not the place for this school to get its nose under the tent. Thank you.

9. John Banas, 1521 Ann Arbor Drive – It is an honor to address this prestigious group of individuals. I am a parent of a child at Rose Rock. Her name is Maria Banas. She's two and a half years old, and she is the cutest thing in Norman – an asset to our city. Just briefly. Traffic is a big concern. It's a concern for everywhere I've lived. We're spoiled here in Norman. I moved here from Washington, D.C. You have no idea what traffic is. But I don't want you to know what traffic is. Traffic is horrible. That's why I live at 1515 Main. I was never consulted by any petitions. This is in my neighborhood. This is where I live and we will be walking on a daily basis to school to prevent traffic problems. I don't assume people are rationale at all, because that's not the kind of arguments we've heard tonight. We've heard some fuzzy math. The majority of people oppose it – 38%. I don't want to tell people what's what, but that's not the majority. Furthermore, I really do appreciate people's concerns, but we have a situation here where – I mean, I moved to Norman, Oklahoma – I could have moved any one of 15 places in the world. I moved here because I believe in family – which I think is a strong family values town. I believe in education – I mean, we're propping up all of Oklahoma statistics here in Norman because we're intelligent individuals. And I believe in business. I'm a pro business American, and I am proud of this private business. There's already a school. I mean, if you're worried about the integrity of these people, most people here are saying we know the future, and we've heard some fallacious arguments about that. We know they're going to expand. We know they're going to do a school. Obviously, we can't know those kind of things. If we know anything about their past actions, we know they're honest individuals and good members of this community. So I am in support of this. I will make sure that my family doesn't contribute to any traffic problems. And thank you for your time.

10. Jim Kee-Rees, 135 Crestmont Avenue – On the northwest corner of the property that we're discussing today. Thank you very much for having just a few moments to speak. I came here from work, so that's why I'm dressed the way I am this evening. I grew up in southern Oklahoma and we moved here – my family – in 2006. We picked this neighborhood. We fell in love with it very quickly. One of the biggest things was when we walked through our house into our back yard, it looked like we had a park. We had a park in our back yard with just a simple chain-link fence. I grew up in the country and working on ranches in southern Oklahoma as a boy and as a young man, and I love the outdoors. That was the feeling I had as soon as I saw that property. With this property, we're their neighbors. We have had the best experience on Crestmont. I don't know the other neighbors as well, except we trick-or-treat on everyone else's streets, which will be happening pretty soon. But on our street we take care of one another; we check on the elders in the community. We have a grapevine that passes along pretty quickly. The benefit of that is that we watch out for each other. When a house gets broken into, someone needs something from the store – we care for each other. That's been the most difficult thing for me in this whole process, is that we have moved away from this in our greater neighborhood. I think it was at one of the very first meetings that took place here about this property when the owner was talking about selling. I remember sitting at the table and him mentioning that he had a couple of other proposals – one was from a developer for condominiums or homes, another was a business, another was this school. So it terrified me. It terrified me as a neighbor and being on this property of seeing that destroyed – those beautiful trees and oaks. My family and children – I have two young children – we've walked on the

property many times. To see all of that destroyed for something else. So at the beginning we were supportive of the school in that it would keep the integrity of the property. That's what I see with this new plan, is that what we fell in love with to move into that neighborhood will remain. The other thing is we didn't know the current owners before all of this process started, and they have become very good neighbors for us and for our children. So they have been inviting to us. They have listened to some of my concerns – concerns about fencing, concerns about lighting -- I've had some similar concerns as I've heard spoken over here. I feel like they're a school that will be a good neighbor. They're not an outside group that will be invading and taking over. I've seen a number of private schools that have worked well in neighborhoods and this is very small. So I'm in support of Rose Rock. Thank you for your time and your attention.

11. Anne Harp, 313 Foreman Avenue – I'm the last one, I believe, because I just signed in five minutes ago, and I look like this because it's raining outside – just nicely. We're getting a nice good soak right now. I have resided at that address for about 14 years now. I've been involved in the process since we've gotten it started and I just wanted to say that there have been some moments that have been uncomfortable for everybody and some contentious moments. I wanted to say thank you to George and Shanah – they've been very patient with us. They've tried to address our concerns throughout the process. Sometimes it hasn't been easy and sometimes things have been a little heated, and I appreciate their patience and their spirit of trying to approach this as a neighbor. But even with that said there are still some concerns in the neighborhood, which I'm sure you've got an earful of this evening. They're very valid concerns. If you do choose to approve their petition for the zoning change and for the PUD, I think it would be a good thing for us to consider some sort of mediator being appointed by the City to address the concerns that remain. So I would ask you to take that into consideration. Thank you very much.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Sherrer – Talk to me why we chose PUD instead of the R-1 with Special Use – the thought process.

2. Ms. Connors – The R-1 zoning district does allow schools, both private and public, in the R-1 district as a Special Use. However, in the 1970s an amendment was made to that to not allow rooms regularly used for housing and sleeping. Go back and look at the history of how that occurred – the minutes of the meeting – we do believe they were talking generally about dormitories, however that didn't get actually incorporated into the ordinance. So no sleeping rooms are allowed, and that's why we had to suggest that they go to PUD, because there isn't opportunity in R-1 because of that.

3. Mr. Boeck – And that is ironic. A couple of comments. I live on Schultz Drive, which is not very far from Gingerbread, which is a really great private school right on the corner of Alameda and – I can never remember those streets. They've been there for 20 some years. All three of our kids went through there. There's traffic every day, and there's a lot more than 59 kids that play at Gingerbread and it was a wonderful experience. Fortunately, we were able to walk there. But dealing with the traffic that comes in and out of there off of Alameda – I've been there when the kids were getting dropped off and the kids were getting picked up and it's never really been a big enough issue to make it an issue. The school does what it wants to do. I love the concept of this school and I love the people that I've met that go and that participate in this school. I understand the traffic thing. I understand the people that live on Foreman. Joe Von Bullard is a friend of mine and we've talked about this a lot. But when you look at the alternatives to what that could become – you know we had the owners here the last time we met and they said they had to sell for whatever million dollars because that's what they had to sell it for. You don't make that a single-family residence when you do that. I understand why

they wanted to get that. But that piece of property could turn into a lot of different things that would make a lot more traffic than a school. Those are my comments.

4. Ms. Pailes – The first presentation, it looked like the school would be rather comparable to Lincoln Elementary in terms of enrollment, and I thought that would just not work. With the new enrollment it's basically comparable to Montessori, which is embedded in the neighborhood around Santa Fe, and that basically works. They kick a lot of soccer balls into the street. I'm a little dubious about that four foot fence. But basically it functions. I love the neighborhood input. I try hard, really, to honor neighborhood feelings about things. I think the worst thing that could happen to the neighborhood would be to have this property zoned residential but multi-family and you'd end up with a four-story apartment with balconies 20 feet from your back yard, and I think that would be the worst thing that could happen. This, I think, will try to be a really good neighbor and I think, based on looking at daycare, small schools, private schools embedded in neighborhoods, it'll probably work.

5. Mr. Gasaway – I've got a question for Susan. For the benefit of the audience, it sounds like one of the major concerns is, I guess, if the school is wildly successful and would like to expand, what's the process of coming back to change the PUD? Or the alternative, if, for some reason, the school leaves that location and it's designated PUD, what happens for the next applicant, regardless of what they want to do? What do they have to do to make that anything else? Could you go through that for us, please?

6. Ms. Connors – Yes. If the school wanted to expand then there would be another zone change application and it would have to go through a public hearing process just as they are doing now. So we go both to Planning Commission and City Council with any change. The site plan only allows the buildings they have on site, so it's restricted to the proposal before you this evening. The only other use that would be allowed – if the school wasn't on the site, it could still be a single-family home. It could be either the school as proposed or a single-family home.

7. Mr. Gasaway – Any other use, then, would have to come back for a change in the PUD – it would remain a PUD, but they would have to come back for a change?

8. Ms. Connors – Someone could request an amendment to the PUD or a new zone category.

9. Ms. Gordon – So if we change the 2025 Plan to whatever they're asking for – institutional - - and they do the zoning change, and they get so big they want to move somewhere else, everything you just said still – the only person or the only thing that could go in after that would be a school or a single-family residential. Is that correct?

10. Ms. Connors – That's all this zone category allows.

11. Ms. Gordon – So I guess I'm confused, because Mr. Rieger presented a list of all these things that could go in – apartments and daycares and all this stuff under a change to the 2025 Plan. Is that not correct?

12. Ms. Connors – Well, he was projecting, but that's not what the zoning would allow and, therefore – the zoning dictates. Maybe Ms. Messner would like to come up.

13. Ms. Messner – What we're talking about with the 2025 Land Use and Transportation Plan and the zoning ordinance are two separate sets of regulations. They're asking for a change in both tonight. Ultimately, if the Land Use Plan and the Zoning Ordinance were to conflict, the Zoning Ordinance controls. So if the school were to move across town or go out of business and the 2025 Plan is Institutional and the zoning is PUD and they wanted to change it to a completely

different institutional use, they would have to have a zone change, but not necessarily the Plan change. But if they wanted to do commercial, they would need a Plan change and a zone change.

14. Ms. Gordon – I think I got it. Well, that's a big deal for me, because my biggest sticking point on this was the zoning issue – the issue of, if they were to leave, or what could go in there. Because I think they've addressed the parking issues and the traffic issues with good faith and I think it would work. I don't think that four times a year, even if there was overflow in the neighborhood parking – I don't think that four times a year overflow parking is that unacceptable. Before anybody flames me, I live next to a park, so I get a lot of overflow parking in my neighborhood. So I'm glad that was explained to me.

15. Ms. Bahan – My primary concern with this is the traffic on Main Street. I genuinely feel you're going to have to have a traffic light there at some point in the not-too-distant future, because, having taught at Norman High School and driven Main Street for years, the traffic is too heavy. That time of morning, when you're dropping off kids, trying to get in and get out, it's a nightmare. Even 59 cars – or 45 cars, or whatever – I just don't think that, realistically, you're not going to have some real problems. That's my primary concern with the whole thing.

16. Mr. McCarty – I have some questions for the traffic engineer again. At what point would a deceleration lane/acceleration lane be required for a rezoning?

17. Mr. Riesland – Requirements for deceleration lanes are obviously based on the volume that would be turning right. In this case, 59 cars would fall short of that. Usually it's around 100 where you'd consider a deceleration lane. Even if they were all turning right. In an hour.

18. Mr. McCarty – My biggest concern about this is traffic. Most of these people, I understand, don't have cars – or that's what was presented to us before. So how are they going to cross the street from wherever they're coming from to get to the school? But if they do present to us a school zone and a crosswalk, we have another one half a mile away. I just see a huge traffic problem. Cars stopping, stacking down Main Street during the busiest time of the day – 8:00 to 8:45 a.m. down Main Street is not a pleasant time. Right now there's no school zone or crossing on the site plan proposed. What is that process? I wasn't real clear on what that process is for someone to be able to do that. Would the City allow that at this site – at Wiley and their driveway to get into their property?

19. Mr. Riesland – Would we allow a school zone?

20. Mr. McCarty – A school zone with a crossing and a crosswalk, because I think that would be just detrimental to Main Street.

21. Mr. Riesland – Yes, we would allow that.

22. Ms. Pailles – I did that at the school where my kids went to school, so this was some time ago. But we requested of the city to get a crosswalk and the city said no. So I think that power resides with the city.

23. Mr. Riesland – I was saying yes to the school zone. A crosswalk at an intersection is one thing. We like to have that protected as much as possible. The discussion about the traffic signal obviously helps the protection of that crosswalk. We have unprotected crosswalks that don't seem to work very well.

24. Mr. McCarty -- Well, if you ever travel down Main Street when Norman High is crossing, the traffic stacks all the way past Berry Road west, and this would just add additional problems

to get into the property at the same time. 8:00-8:45 – high school, I think, starts at 8:45. It's going to be around the same timeframe. My biggest concern – the site plan has been improved. I think the agreement of 59 students is great. But my biggest concern is traffic down Main Street and how that is going to flow. We're going to increase the curb cut at that point, which makes it further away from Wiley, the way that I look at their site plan, which makes that stop light a little bit more difficult than we talked about last time and how that would be affected and staggered. I'm just having a hard time with the traffic. Thank you.

25. Mr. Boeck – I'm thinking about out in front of Lincoln on Classen, and Classen is a pretty busy street. There is a light there that's activated by the crossing guard to get kids across when they need to get across, and people stack up. I drive Main Street all the time and Norman High is a huge number of students crossing that street at 8:30. Again, if you've got 15 or 20 kids walking across the street in a 45 minute period, I just don't see traffic as being an issue.

26. Mr. Sherrer – I'm going to kind of contradict. At least my opinion on a couple of things. Like Commissioner Boeck said, I also had children at Gingerbread School and I will tell you that was a nightmare picking up people as I waited in line on Alameda to actually pull in to pick up my children. I was scared. Not scared of the part to your point, Commissioner Pailles, about whether or not they were fenced in or they had proper protection, but I was scared when they went out the front door and didn't go – they ran out and they lost the ball and they went out – I think that is a concern. Anywhere there's a drive, I think that is absolutely a concern that we need to have for safety. We're seeing on every news channel now talking about storm shelter safety. I think safety has to be paramount. In fact, my kids go to Cleveland Elementary. I'm, like many people here, missing the opportunity to be there this evening for the 50th anniversary. But the discussion there, and the principal states this every year, and I think Ty Bell is his name – he does an excellent job – but when we go to the parent-teacher meeting the first thing he always says is safety is the very first thing I care about your kids. Scholastic opportunities, cultural enrichment – all the things that I think everybody in this room wants for our children – he starts with safety. I think, when you're talking about safety as it relates not only to protection within the actual environment of where the school is and the location there, I think you're talking about pick-up time. I think you're also talking about transportation. Just like Commissioner Bahan and Commissioner McCarty, I have very serious concerns as a person who goes by there twice a day at least as a commuter living just down the street, and from that to where I work every single day, it's a busy area. It's a very challenging area always. It's different than Classen, and no offense – I've been at that light, too. I've been at the light on Norman High and I've seen how that slows things down. But I truly believe that there is a concern here about going from East Norman to West Norman, too, and not only do I think it affects traffic, I think it impacts our ability to have traffic flow throughout our community. We all have been a part of this Lindsey Street discussion lately and, frankly, depending upon what happens there, there's going to be more traffic on Main Street. I don't think there's any doubt of what happens there – at least what has been discussed at the City Council. I know that has not been decided and I know there's a master transportation plan going on right now that will help decide that. But I'm deeply concerned about protecting Main Street as a nice, quick way to get across our community. I only think this inhibits that. I love the school. I think the model – I think the idea of the school, I think what it's about is something I'm very for and it's certainly something I want in my community. But I just haven't, frankly, been able to get over this transportation concern, and then also the safety concern.

27. Mr. Gasaway – I think one thing we ought to look at are the possible uses of the property. The original owner came I think when this was presented last time and the best of my memory the school as the only party interested in that property. I think the three uses that it could be would be a single-family residence, as it was in the past, which doesn't sound that that's very likely based on the amount of activity on that property. It could be what is proposed tonight. I think there's a high probability that someone would come with a commercial application for this

property. I think that's the highest probability. Whether or not that's acceptable, I think, is certainly up to future debate. Or there could be large-scale residential – either single-family homes or some type of apartment complex, duplexes in that area. I think of those uses, if it can't be single-family residential such as it is now, this is probably the best option of those that I listed. It's an unusual property from a different time in the City of Norman that makes it very difficult for someone to want that as a single-family residential property any longer. That's just my opinion. I had two objections originally when this came last time. One was the traffic stacking on West Main, which I think has been solved by the school's changing the size. I think the worst thing that we could possibly do on West Main is have a large stacking where we cut it down to one lane in one direction. This certainly seems to have solved that. Parking on the lawn – I think last time there was kind of free-for-all parking on the dirt. As Code Compliance here knows, I'm very much a stickler for not parking on places in Norman that are not paved, and I would be one of the first ones calling Code Compliance to see that happen. But, again, I think, with 25 parking places, on a daily basis that should handle it, and I think there are some other options for special events that the school has addressed. I do want to emphasize again – I think staff has covered this – this change does not open up this property to other uses without coming back to Planning Commission and to City Council. I want to ask Susan one more time – what is a correct statement, is it not?

28. Ms. Connors – That's correct.

29. Mr. Gasaway – I'm asking that simply as protection for the residents that are worried what will happen in the future.

30. Ms. Connors – Yes. The Planned Unit Development limits the uses of this property to the school and a single-family home if the school were not there.

31. Mr. Gasaway – Or if the school wants to enlarge, it has to come back to this body as well as the City Council. So I think there's some significant protection there. So I'll be supporting this plan for tonight.

Jim Gasaway moved to recommend adoption of Resolution No. R-1314-25, Ordinance No. O-1314-12, and PP-1314-5, the Preliminary Plat for ROSE ROCK ADDITION, A Planned Unit Development, to City Council. Roberta Pailles seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Jim Gasaway, Roberta Pailles, Cindy Gordon, Dave Boeck, Tom Knotts
NAYS	Curtis McCarty, Andy Sherrer, Sandy Bahan
ABSENT	Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-25, Ordinance No. O-1314-12, and Preliminary Plat No. PP-1314-5 to City Council, passed by a vote of 5-3.

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RECESS
8:17 to 8:25 p.m.

* * *

Item No. 9, being:

ORDINANCE NO. O-1314-13 – AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CREMATORIALS IN CONJUNCTION WITH A FUNERAL PARLOR OR MORTUARY, WHETHER A PERMITTED OR SPECIAL USE IN THE DISTRICT, WITH CONDITIONS IN THE OFFICE-INSTITUTIONAL (O-1), SUBURBAN OFFICE COMMERCIAL (CO), LOCAL COMMERCIAL (C-1), AND LIGHT INDUSTRIAL (I-1) ZONING DISTRICTS, AND PROVIDING FOR THE SEVERABILITY THEREOF.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. Exhibit A
3. Ordinance No. O-1314-13
4. Substitute Ordinance No. O-1314-13

PRESENTATION BY STAFF:

1. Susan Connors – The request before you this evening, as you just read, is to amend our Zoning Code to allow crematoriums to be in conjunction with a funeral parlor or mortuary. About a year ago, staff had come before you with a request to allow crematoriums as a use, which was not really a specified use in our zoning code previously. So when we came before you about a year ago, we did an amendment that allowed crematoriums as a stand-alone use. We have now had some additional inquiries about whether or not they could be a part of a funeral parlor or mortuary. As we looked at that, and even from our research from a year ago, this really is an improved industry – very clean industry at this point in time, and so allowing a crematorium which is allowed in other cities in Oklahoma, such as Oklahoma City and Tulsa, in lower zoning district categories without major setbacks. So the stand-alone crematoriums require 400 feet setback from residential zones and also required access specifically from an arterial street, and there was a reason for that – because as a stand-alone use it's just more obvious what it is. If you put the crematorium in a funeral parlor or mortuary, it's really just a small part of that building. What we're recommending this evening is that it be a special use in the O-1, which is the office district; the suburban office, which is CO; and the local commercial district, C-1; and then by being a special use in C-1, it would be allowed in C-2 and C-3; and then it would also, by this amendment, be allowed in light industrial. The crematoriums, when we allowed them as stand-alone, are now a permissive use already in I-1, so keeping that as a permissive use in I-1. The special use in C-1 allows this to go forward in the C-2 and C-3. That is what is before you and was in your book. Do you have any questions?

AUDIENCE PARTICIPATION:

1. Harold Heiple, 218 East Eufaula, representing the Norman Developers Council – We routinely ask City department heads, just prior to every monthly meeting of the Developers Council, if they've got anything they would like us to pass on to developers. This past couple of weeks ago, when we posed that, Susan came back and informed us that this ordinance was on the way through. I raised it at the developers meeting and didn't get any particular reaction at that time, but then when we got to reading through it and in talking to Judy Hatfield and other people who deal regularly as far as bringing in commercial tenants and so forth, the problem is that this would make, as a matter of right, a crematorium in C-2 and C-3, which would mean an existing business that's already out there operating in C-2 or C-3 could look out one day and, without any notice and without any opportunity for objection, a crematorium is being built next door to them, whether it is with or without a funeral home. Now, as Judy promised, and as I know from my own experience in dealing with national chains, there are a number of retail operations that will absolutely go crazy if you tell them that there's going to be a crematorium next door. So what we are saying is that it needs to be not a matter of right, but for C-2 and C-3 do the same thing that you're doing for O-1 and C-1, and that is make it a special use so that, if somebody wants to do that, they've got to come through with an application for special use, which will give notice and opportunity to object to the people that are next door. I asked the staff to pull this so that we could work on that, and Susan indicated no, they were going to bring

it forward, and I asked was anybody pushing it, and she said Hal Ezzel has a project that's coming forward and he particularly needs, among other things, the setbacks that are required in C-2, which is where he plans to build it. Now, I'm not sure – his land is a combination of CO and C-2. Susan thought it was on the CO part that he would have to have a special use permit anyway. He thought it was C-2. I'm saying that, in any event – and I think staff has ready a substitute ordinance that would require for C-2 and C-3 to take care of the things that we're concerned about, which means it would be a requirement for a special use permit in all of them. When you do that, you then have to go back and you've got to tweak the C-2 and C-3 general ordinances because right now they read that anything that is a permissive use in C-1 is permitted as a matter of right in C-2 and C-3, and that has worked well for years. But, in this particular case, that's what we're objecting to. That can easily be tweaked also. We're simply asking that you recommend approval, but with the changes so that a special use permit would be required for all zoning categories to do this. Now, Hal is here and can also tell you about the kind of designs that are available and the environmental impact, as well as the architectural and aesthetic impact of what they've got.

2. Hal Ezzel, 518 Chautauqua – I wanted to be available to answer any questions that you might have and confirm that, in fact, when I spoke with Harold and he raised his concerns with regards to requirement of special use, I have no objection to that. We are specifically bringing a project forward that we want to get before you as fast as possible that's going to be roughly at 24th and Riverside Drive. What we are looking to do is we felt like the zoning ordinances, at this juncture in time, addressed funeral homes and they addressed crematories, but they didn't address a funeral home that had a crematory contained within it. A retort, the piece of equipment that does the cremating, is about probably 10' wide by about 12' deep and about 8' high. It's easily self-contained within a building. The stacks on modern retorts are zero emissions. We have to have ours tested every year for Maricopa County air quality on another one that we have. And they are, in fact, zero emissions, meaning that there's no particulate matter. They don't billow smoke that you would see or odor that you would detect. It's not that it's impossible that you would have a problem. Your retort would be burning down if that were the case. The aesthetics of the design are they're largely – it's a residential appearing structure. It would not be discernible. You would have no idea what was going on there, other than a sign in the front that told you what it was. So it's very unobtrusive. In the instance of a crematory incorporated within a funeral home, it's not anything that would require a 400 foot setback, whereas as a stand-alone building that was just a crematory can be very industrial looking in nature. It might be a metal building. There could be other things that would be concerns that you might want that setback. But when it's incorporated into a combination design, that's really unnecessary. You should just be subject to the normal setback requirements. So I would respectfully ask that you send this forward. I don't know the procedure. If you want to make a motion to amend it to include the special use rewrite as it goes to Council, I'm fine with that. I would just ask that you send this forward this evening. Thank you. I would be happy to answer any questions you might have.

3. Mr. McCarty – Do we currently have a crematorium in Norman? If I get cremated, where do I go?

4. Mr. Ezzel – You would be sent to – now, given the recent sales, you would go to Moore. Previously, you would have gone to the Purcell area to Southhaven.

5. Ms. Connors – I wanted to just correct one thing that Mr. Heiple had indicated. In the current zoning code, a stand-alone crematorium is a special use in both C-2 and C-3 and it's not allowed in C-1. So the stand-alone is already a special use. The other thing I wanted to indicate is that staff has prepared a substitute ordinance putting this as a special use in C-2 and C-3, if you want to consider that this evening and I have copies up here I can pass out.

6. Mr. Knotts – So that would be a special use?

7. Ms. Connors – In O-1, CO, C-1, C-2, C-3 it would all be special use. It would still be an allowed use in I-1. If the Commission chose, they could just substitute this ordinance and then make a motion on this substitution.

8. Mr. Gasaway – Can we ask Ms. Connors to go through and indicate what the differences are, please?

9. Ms. Connors – In the ordinance that was in your book, the changes to the ordinance in your book are simply in the C-2 area, on the third page of this ordinance, we have amended the uses permitted in C-2: Any Special Use in C-1, except mixed buildings and crematoriums when attached to a funeral parlor or funeral home. So that wouldn't carry over as a permitted use. Then it is added as a special use in C-2 and then it's added as a special use in C-3. And it remains, as I said, a permissive use in I-1.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Dave Boeck moved to consider Substitute Ordinance No. O-1314-13. Curtis McCarty seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailles, Andy Sherrer, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYS	None
ABSENT	Chris Lewis

Ms. Tromble announced that the motion, to consider Substitute Ordinance No. O-1314-13, passed by a vote of 8-0.

Andy Sherrer moved to recommend adoption of Substitute Ordinance No. O-1314-13 to City Council. Jim Gasaway seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailles, Andy Sherrer, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYS	None
ABSENT	Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Substitute Ordinance No. O-1314-13 to City Council, passed by a vote of 8-0.

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Item No. 10, being:

MISCELLANEOUS DISCUSSION

None

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Item No. 11, being:

ADJOURNMENT

There being no further comments from Commissioners or staff, and no further business, the meeting adjourned at 8:39 p.m.



Norman Planning Commission